

UNITED STATES DISTRICT COURT

for the

Eastern District of Pennsylvania

United States of America)

v.)

Matthew Flynn)

Case No. 16- 1282-m)

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of October 13, 2016 in the county of Lehigh in the
Eastern District of Pennsylvania, the defendant(s) violated:

Code Section

Offense Description

Title 18, United States Code,
 Section 2252(a)(4)(B).

Knowingly possessed child pornography.

This criminal complaint is based on these facts:
 SEE ATTACHED AFFIDAVIT.

☒ Continued on the attached sheet.

Complainant's signature

Kathryn I. Murray, Special Agent HSI

Printed name and title

Sworn to before me and signed in my presence.

Date: 10/13/2016

Judge's signature

City and state: Allentown, PA

The Hon. Henry S. Perkin, U.S. Magistrate Judge

Printed name and title

AFFIDAVIT OF PROBABLE CAUSE

Your Affiant, Kathryn I. Murray, a Special Agent with the United States Department of Homeland Security, being duly sworn, deposes and states as follows:

1. Your Affiant is a Special Agent employed by the United States Department of Homeland Security, Immigration and Customs Enforcement, Homeland Security Investigations (HSI), assigned to the Office of the Special Agent in Charge, Philadelphia, Pennsylvania. I have been employed in such capacity since August of 2004. In 2005, I completed the Federal Law Enforcement Criminal Investigator Training Program as well as the Immigration and Customs Enforcement Special Agent Training academy located in Glynco, GA. As an HSI Special Agent, I have experience in conducting criminal investigations as it pertains to violations of Title 8, Title 18, and Title 21 of the United States Code. As part of my daily duties as an HSI agent, I investigate criminal violations relating to child exploitation and child pornography including violations pertaining to the illegal production, distribution, receipt and possession of child pornography, in violation of 18 U.S.C. §§ 2252(a) and 2252A. I have had the opportunity to observe and review numerous examples of child pornography (as defined in 18 U.S.C. § 2256) in all forms of media including computer media. I have also participated in the execution of numerous search warrants, a number of which involved child exploitation and/or child pornography offenses.

2. As a federal agent, I am authorized to investigate violations of laws of the United States and to execute warrants issued under the authority of the United States.

3. As will be shown below, there is probable cause to believe that MATTHEW FLYNN knowingly possessed child pornography, in violation of Title 18, United States Code, Sections 2252. Under Title 18 U.S.C. § 2252(a)(4), it is also a crime for a person to possess one or more books, magazines, periodicals, films, or other materials which contain visual depictions of minors

engaged in sexually explicit conduct that have been transported in interstate or foreign commerce or that were produced using materials that had traveled in interstate or foreign commerce.

4. The statements in this Affidavit are based in part on information provided by other law enforcement officers. Since this affidavit is being submitted for the limited purpose of securing an arrest warrant, I have not included each and every fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary to establish probable cause to believe that MATTHEW FLYNN committed violations of Title 18, United States Code, Sections 2252.

5. On October 13, 2016, a search warrant authorized the Honorable Henry S. Perkin was executed on residence MATTHEW FLYNN shares with his parents in Schnecksville, Pennsylvania, in the Eastern District of Pennsylvania.

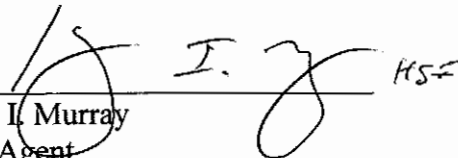
6. During the search agents located the following computers including mobile devices: a Gateway laptop was located in FLYNN's bedroom on a desk, a Gateway desktop in FLYNN's brother's bedroom, a Verizon LG, model number LG-VS870 mobile phone located in FLYNN's bedroom closet, an iPhone 7 was located on FLYNN's bed.

7. A special agent with Homeland Security Investigation, James Munjone, who is a computer forensic agent, and Pennsylvania State Police, digital forensic examiner Brian Mengel were present during the execution of the search warrant and performed on-site preliminary reviews of the devices listed above. During this preliminary examination, the computer examiners located the following: on the Gateway laptop (found in FLYNN's bedroom), investigators located hundreds of images depicting boys approximately 10 – 14 years of age either naked or engaged in sex acts; some were located in the "dropbox" folder, one image depicts an 8-9 year of age being penetrated anally by an adult male. The drop-box folder contains approximately 8600 images, the

majority of which is child pornography. (Dropbox is a cloud service to store digital media). On the Gateway desktop, the agent discovered images of mostly depicted child erotica in Internet cache. On the Verizon LG mobile device, investigators located hundreds of images and hundreds of videos depicting child pornography. One image depicts two prepubescent naked boys, approximately 6-8 years of age; one boy is anally penetrating the other boy. On the iPhone 7, investigators identified the device as using cloud storage devices (remote storage services not on the phone itself) to access child pornography.

8. On the same date as the search warrant execution, I interviewed MATTHEW FLYNN. He admitted that did download child pornography and emailed it to others, claiming he was "duped." He admitted he used his brother's computer, the Gateway desktop to download child pornography. FLYNN admitted communicating with underage boys through the mobile communication application KIK, and attempting to meet with them. He acknowledged what he has done is wrong.

9. Based on the foregoing, there is probable cause to believe defendant has possessed child pornography in violation of Title 18 U.S.C. § 2252(a)(4)(B).


Kathryn I. Murray
Special Agent
Homeland Security Investigations

Sworn to me this 13th day of October, 2016.


Henry S. Perkin
United States Magistrate Judge